

REMARKS

Claims 40 and 52 have been amended, and claims 40, 52, 54, 56, 60, and 61 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 40, 52, 54 and 60-61 are rejected under 35 U.S.C. §102(e) as being anticipated by Lewis et al. (U.S. Patent No. 6,694,090). The applicants respectfully traverse. In order to show anticipation, the Examiner must show that all elements of the claim are found a single prior art reference arranged as set forth in the claim. See MPEP § 2131 and the cases cited therein. Here, the Lewis reference relied upon by the Examiner does not show all the elements of claim 40 arranged as recited in the claim.

As an initial matter, the Examiner did not clearly indicate which elements disclosed in Lewis correspond to the various limitations recited in the claims. It is therefore difficult for the applicants to determine how the Examiner is interpreting the disclosure of the Lewis reference. In order to avoid misunderstandings and to expedite prosecution of the application, the applicants respectfully request that the Examiner indicate which elements disclosed in the Lewis reference (for example, the program chains) correspond to the particular limitations of the claims.

Lewis does not disclose all of the limitations of claim 40 arranged as recited in the claim. For example, Lewis does not disclose "a plurality of titles, each title including a playlist specifying a part of the plurality of title audio/video data streams to be reproduced" or "index information recorded separately from the plurality of titles" as recited in claim 40. The Examiner appears to construe the video manager information as corresponding to the index information (Office Action, page 3). Lewis discloses that the video manager includes "control information applicable to a disc and a disc menu" (col. 4, lines 61-63). Lewis does not disclose that the video manager includes index information, or that the video manager includes startup information and title information. Lewis does not disclose that the control information included in the video manager may include index information as recited in claim 40. Indeed, Lewis indicates that the control information would not include title information, because the control information is

information about the disc as a whole, not information about individual titles (that is, title information).

The Examiner further construes the program chains and associated parental ratings (col. 5, lines 65-67) as corresponding to the title access type information. However, claim 40 recites wherein the title access type information is included in the index information. As discussed above, the Examiner interprets the index information as corresponding to the video manager. The program chains are not included in the video manager, as shown in FIG. 7. Since the program chains are not included in the video manager (which the Examiner construes as the index information), the program chains cannot correspond to the title access type information as recited in the claims. Even assuming *arguendo* that the program chains could be construed as title access type information, Lewis does not disclose that the program chains are recorded separately from the titles. FIG. 7 shows that the program chains are included in the corresponding video title set. This disclosure is consistent with the Nonomura reference applied previously, in which the program chains were included in the video title sets. The program chains are therefore not recorded separately from the video title set, and thus cannot correspond to the index information or the title access type information as recited in claim 40.

Lewis does not disclose all of the limitations of claim 40 arranged as recited in the claim. Lewis therefore does not anticipate claim 40, and the rejection of claim 40 should be withdrawn.

The rejection of claim 52 should be withdrawn for at least the reasons given above with respect to claim 40.

Claims 54, 60, and 61 depend from one of claims 40 and 52. The rejection of claims 54, 60, and 61 should be withdrawn for at least the reasons given above with respect to claims 40 and 52.

REJECTIONS UNDER 35 U.S.C. §103:

Claim 56 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis et al. (U.S. Patent No. 6,694,090) as applied to claim 54 above and in view of Kanazawa et al. (U.S. Patent No. 6,580,870). Claim 56 depends from claim 52. Lewis does not disclose all of the limitations of claim 52, and Kanazawa does not remedy these deficiencies. Accordingly, the combination of Lewis and Kanazawa does not disclose or suggest all of the limitations of claim 56, and the rejection of claim 56 should be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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